

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
23-00229-01-CR-W-SRB

MICHAEL D. SIMMONS,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGE: Count One Felon in Possession of a Firearm, *in violation of* 18
U.S.C. §§922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Stefan Hughes

Defense: Carie Allen

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: Defendant would file motions in limine if this case goes to trial.

TRIAL WITNESSES:

Government: 5 with or without stipulations

Defense: less than 3 additional witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: 10 exhibits

Defense: 3 exhibits

DEFENSES:

(x) defense of general denial

() defenses of general denial and _____

POSSIBLE DISPOSITION:

() Definitely for trial

() Possibly for trial

() Motion to continue to be filed

(x) A change of plea hearing has been set

TRIAL TIME: 2 days

Government's case including jury selection: 2 days

Defense case: ½ day

STIPULATIONS:

- ☐ not likely
- ☐ not appropriate
- ☐ proposed as to:
 - ☐ chain of custody
 - ☐ chemist's reports
 - ☒ prior felony conviction
 - ☒ interstate nexus of firearm
 - ☐ other: _____

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: November 18, 2024

Defense: November 18, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: November 18, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: November 18, 2024

TRIAL SETTING: Criminal jury trial docket commencing December 2, 2024

Please note: *The AUSA has another case on the December docket, USA v. Jayon Kimbrel, 24-00068-01-CR-W-HFS, in which the first week of the docket has been requested. Government counsel has jury duty the second week of the docket.*

OTHER:

- ☐ A _____-speaking interpreter is required.
- ☐ Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge